

BEFORE THE  
UNITED STATES DEPARTMENT OF TRANSPORTATION  
WASHINGTON, D.C.

Application of \_\_\_\_\_ ) DOCKET OST 99-\_\_\_\_\_  
)  
UNITED PARCEL SERVICE CO. )  
)  
for a Certificate of Public Convenience )  
and Necessity pursuant to 49 U.S.C. 41102 )  
(Austin, Texas - Monterrey, Mexico) )  
\_\_\_\_\_ )

**APPLICATION OF UNITED PARCEL SERVICE CO.  
FOR A CERTIFICATE OF  
PUBLIC CONVENIENCE AND NECESSITY**

The Applicant requests that this Application be processed under the expedited non-hearing procedures set forth in Subpart Q of the DOT Procedural Regulations (14 C.F.R. 302.1701 et seq)

Communications with respect to this document should be addressed to:

Mr. Mathew J. Capozzoli  
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United Parcel Service Co.  
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Mr. Steven R. Okun  
Public Affairs Manager  
United Parcel Service Co.  
316 Pennsylvania Ave., S.E.  
Washington, D.C. 20003

Counsel for  
UNITED PARCEL SERVICE CO.

Date: December 15, 1999

**NOTICE:** Any person who wishes to support or oppose this Application must file an answer with the Department's Documentary Services Division by January 12, 2000 and must serve that answer upon UPS and all persons served with this Application.



(See, e.g., Orders 87-12-61, December 24, 1987, 88-1-20, January 7, 1988; 88-9-44, September 22, 1988; 89-5-38, May 16, 1989; 91-1-44, January 1991; 96-8-4, August 2, 1996 and 96-8-37, August 30, 1996; and 98-3-34, March 5, 1998).

2. UPS is a citizen of the United States as that term is defined in the Federal Aviation Act. All officers, directors, shareholders of UPS, or persons who have the power to influence the management of the applicant or persons holding any voting interest in the applicant are U.S. citizens. An affidavit of citizenship is attached hereto as *Exhibit 1*.

3. UPS is fit, willing and able to provide the proposed service and to conform to the provisions of the Federal Aviation Act and the rules, regulations and requirements of the Department thereunder.

4. The grant of this Application will not constitute a “major” regulatory action under the Energy, Policy and Conservation Act of 1975, as defined by Section 313.4(a)(1) of the Department’s regulations. Annual fuel consumption will be approximately 675,000 gallons. UPS has adequate fuel available for the service.

5. UPS requests that its Application be processed under the expedited procedures set forth in Subpart Q (14 C.F.R. 302.1701 et. seq.) of the Department’s regulations. The public interest does not require an oral evidentiary hearing or a show cause proceeding on this Application because there are no material, determinative issues of fact requiring such procedures for their resolution.

6. UPS requests authority to integrate the route requested herein with service provided pursuant to the other exemption and certificate authorities held by UPS. UPS will accept the standard condition that any services operated pursuant to such route integration authority be conducted in accordance with all applicable agreements between the United States and the foreign countries to which such services are operated.

7. UPS will serve the market with B-767, B-757, B-727, or DC-8 aircraft -- all of which are currently in UPS's fleet. Attached hereto is an illustrative service proposal. UPS wished to commence the service, to be operated 5 days per week, on or before February 8, 2000, and is filing, simultaneously herewith, an Application for an Exemption requesting the same authority requested herein.

WHEREFORE, United Parcel Service Co. respectfully requests the Department of Transportation to grant its Application for a Certificate of Public Convenience and Necessity as set forth above and to grant such additional or other relief as the Department of Transportation may deem necessary or appropriate.

Respectfully submitted,

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David L. Vaughan  
Kelley Drye & Warren LLP  
1200 19th Street, N.W., Suite 500  
Washington, D.C. 20036  
Counsel for  
UNITED PARCEL SERVICE CO.

Date: December 15, 1999

**City of Washington**            )  
  )  
**District of Columbia**        )        **ss.**

**AFFIDAVIT**

I, Steven R. Okun, being first duly sworn, depose and say as follows:

1. I am the Public Affairs Manager for United Parcel Service Co.
2. I am authorized to and do make this affidavit for United Parcel Service Co.
3. I have read the contents of the foregoing Application of United Parcel Service Co. and the factual statements set forth therein are true and correct to the best of my knowledge and belief.
4. United Parcel Service Co. is a citizen of the United States as that term is defined in the Federal Aviation Act. All officers, directors, shareholders of UPS, or persons who have the power to influence the management of the applicant or persons holding any voting interest in the applicant are U.S. citizens.

\_\_\_\_\_  
Steven R. Okun

**City of Washington**            )  
  )  
**District of Columbia**        )        **ss.**

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I hereby certify that on this 15<sup>th</sup> day of December, 1999, a copy of the foregoing

**Application of United Parcel Service Co.** was sent, via first-class mail, postage prepaid, to the following:

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